IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA MACON DIVISION

LILLIE HILL, :

Plaintiff,

v. : Civil Action No.

5:09-cv-21 (HL)

DOLGENCORP, L.L.C.,

:

Defendant.

:

____:

ORDER

Before the Court is Plaintiff Lillie Hill's Motion for Leave to Submit

Documents Under Seal in Support of Her Response to Defendant's Motion for

Summary Judgment (Doc. 28). For the following reasons, Plaintiff's Motion is

denied.

In Romero v. Drummond Co., Inc., the Eleventh Circuit Court of appeals stated:

'The operations of the courts and the judicial conduct of judges are matters of utmost public concern,' ... and '[t]he common-law right of access to judicial proceedings, an essential component of our system of justice, is instrumental in securing the integrity of the process.' This right 'includes the right to inspect and copy public records and documents.'

480 F.3d 1234, 1245 (11th Cir.2007) (internal citations omitted, alterations in original). This right of access does not extend to most discovery motions, but it does extend to "'material filed in connection with pretrial motions that require judicial resolution of the merits[,]" such as summary judgment motions. Id.

(citations omitted).

But this common law right of access is not absolute. "The common law right of access may be overcome by a showing of good cause, which requires 'balanc[ing] the asserted right of access against the other party's interest in keeping the information confidential.' "Id. at 1246 (citations omitted, alterations in original).

Plaintiff has requested to file under seal certain documents provided to

Plaintiff during discovery marked by Defendant as "CONFIDENTIAL" or

"ATTORNEY EYES ONLY." The presence of these markings alone merely

indicates that Defendant has some interest in keeping the documents from the

public's access.¹ The good cause standard requires a more particularized

showing of an asserted privacy interest. Accordingly, Plaintiff's Motion is denied.

SO ORDERED, this the 12th day of January, 2010.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

Imc

¹ Because Defendant must assert a privacy interest in order for its documents to be filed under seal, it is the more suitable party to bring this Motion.